

From the INTERNATIONAL BUREAU

PCT

**NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 72.2)**

To:

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20. Dez. 2004

Erled.

Date of mailing (day/month/year) 16 December 2004 (16.12.2004)	
Applicant's or agent's file reference 2002-0503 P	IMPORTANT NOTIFICATION
International application No. PCT/EP2003/004789	International filing date (day/month/year) 07 May 2003 (07.05.2003)
Applicant OCE PRINTING SYSTEMS GMBH et al	

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Yolaine Cussac
Facsimile No.+41 22 740 14 35	Facsimile No.+41 22 338 70 80

Translation

PATENT COOPERATION TREATY

PCT/EP2003/004789



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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2002-0503 P	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/004789	International filing date (day/month/year) 07 May 2003 (07.05.2003)	Priority date (day/month/year) 08 May 2002 (08.05.2002)
International Patent Classification (IPC) or national classification and IPC B41J 13/00, 11/00, B42F 21/02, G06F 3/12, G03G 15/00, H04N 1/32, B41J 11/48		
Applicant OCE PRINTING SYSTEMS GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 29 October 2003 (29.10.2003)	Date of completion of this report 16 July 2004 (16.07.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/004789

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
pages _____ 1-19 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-10 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ 1/5-5/5 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/04789

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims		YES
	Claims	1, 2, 4, 5, 9, 10	NO
Inventive step (IS)	Claims		YES
	Claims	3, 6, 7, 8	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations**1. Clarity**

The passage in claim 1, "printing a file onto sheets with ... register sheets" is vague and unclear and leaves the reader uncertain as to the meaning of the technical feature in question. In particular, it is not clear whether printing is or can be carried out only on the sheets, only on register sheets or on both. The same applies to claims 7 and 8 ("printing ... on a register sheet").

As a result, the subject matter of said claims is not clearly defined (PCT Article 6).

2. Novelty

The present application does not satisfy the criterion in PCT Article 33(2) because the subject matter of claim 1 is not novel over the prior art as defined in the Regulations (PCT Rule 64.1 to 64.3).

Document D1 (see, in particular, column 1, line 51 to column 2, line 20; and column 9, line 32 to column 10, line 23; and figures 3 and 16 to 18)

discloses a method for printing a file onto sheets with register sheets (210) inserted therebetween, the file containing register sheet file parameters (electronic images) that describe the register sheets, and register sheet printing parameters being stored in a control device of a printer, these latter parameters describing a stack of register sheets in an input tray. If during printing of the file it is noticed by means of the register sheet file parameters that the next sheet to be processed is a register sheet, then the register sheet file parameters describing the register sheet to be printed are compared with the register sheet printing parameters in order to determine whether the next register sheet to be drawn from the input tray corresponds to the register sheet to be processed and if this is not the case register sheets (excess sheets) are removed from the input tray and are sent to an output tray (purged) until a register sheet that corresponds to the register sheet to be printed is removed from the input tray, this sheet then being processed and sent to an output tray.

Document D2 (see, in particular, page 6, line 34 to page 11, line 5; and figures 6a to 6c and 7a to 7c) also discloses the combination of the above technical features.

Claim 1 does not differ from the technical features disclosed in D1 or D2. Claim 1 thus lacks novelty.

Claims 9 and 10

Claim 9 and 10 concern, respectively, a printing appliance and a computer programme product for

executing a method according to one of claims 1 to 8. Since the method steps in claim 1 lack novelty, claims 9 and 10 also lack novelty.

Claims 2, 4 and 5

Document D1 also discloses the additional features of claim 2 (separate output tray 118), claim 4 (sheet feed signal SF) and claim 5 (number of prints PR), which therefore lack novelty.

Document D2 also discloses the additional features of claim 2 (see page 6, lines 41 to 44).

3. Inventive step

The solution proposed in claims 7 and 8 of the present application cannot be considered inventive for the following reasons (PCT Article 33(3)):

Document US-A-5 210 622 (D3) discloses the additional features of claim 7 (set of electronic page images with variable image shift), and claim 8 discloses only that which is commonly known in the art.

A person skilled in the art would consider it routine procedure to combine document D3 with document D1. Consequently, the subject matter of claims 7 and 8 does not involve an inventive step and therefore does not satisfy the criterion in PCT Article 33(3).

Claims 3 and 6

The additional features of dependent claims 3 and 6 concern only minor modifications that are commonly

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP 03/04789

known in the art. Consequently, the combination of the features of these claims with any claim to which they refer back would not produce subject matter involving an inventive step (PCT Article 33(3)).